United Nations A/C.3/64/L.23

General Assembly

Distr.: Limited
20 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Argentina, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Canada, Chile, China, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Iraq, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, New Zealand, Norway, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or to other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of international or internal armed conflict or disturbance, and that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or

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Punishment,[1] without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that under the Geneva Conventions of 1949,[2] torture and inhuman treatment are a grave breach and that under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court,[3] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Emphasizing that the entry into force as soon as possible of the International Convention for the Protection of All Persons from Enforced Disappearance[4] and its implementation will make a significant contribution to the prevention and prohibition of torture, including by prohibiting secret places of detention, and encouraging all States that have not done so to consider signing, ratifying or acceding to the Convention,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and the considerable network of centres for the rehabilitation of victims of torture, to combat torture and to alleviate the suffering of victims of torture,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under domestic criminal law, and encourages States to prohibit acts constituting cruel, inhuman or degrading treatment or punishment under domestic law;

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture, encourages all States that have not yet done so to establish such mechanisms, and calls upon States parties to the Optional Protocol to the

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[1] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[2] Ibid., vol. 75, Nos. 970–973.

[3] Ibid., vol. 2187, No. 38544.

[4] Resolution 61/177, annex.

Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms for the prevention of torture;

4. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions;

6. *Stresses* that the competent authority must promptly, effectively, independently and impartially examine all allegations of torture or other cruel, inhuman or degrading treatment or punishment and wherever there is reasonable ground to believe that such an act has been committed, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of the place of detention where the prohibited act is found to have been committed;

7. *Takes note* in this respect of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[6] as a useful tool in efforts to prevent and combat torture and of the updated set of principles for the protection of human rights through action to combat impunity;[7]

8. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

9. *Also calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence;

10. *Reminds* States that corporal punishment, including of children, in certain circumstances amounts to cruel, inhuman or degrading treatment or punishment or even to torture, and calls on States to ensure that their domestic legislation is in full conformity with their obligations under international law, including the International Covenant on Civil and Political Rights[8] and the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment;[1]

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[5] Resolution 57/199, annex.

[6] Resolution 55/89, annex.

[7] See E/CN.4/2005/102/Add.1.

[8] See resolution 2200 A (XXI), annex.

11. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities,[9] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

12. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty;

13. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished;

14. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, and calls upon States to consider extending that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment;

15. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

16. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

17. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights;

18. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise, bearing in mind the need to fight impunity;

19. *Stresses* that national legal systems must ensure that victims of torture and other cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social and medical rehabilitation, urges States to take effective measures to this end, and in this regard encourages the development of rehabilitation centres;

20. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer

[9] Resolution 64/106, annex I.

in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

21. *Reminds* all States that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person and to ensure that secret places of detention and interrogation are abolished;

22. *Notes* the concerns about solitary confinement expressed by the Special Rapporteur, emphasizes that conditions of detention must respect the dignity and human rights of detainees, and highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of detainees;

23. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment or punishment;

24. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

25. *Urges* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20, and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 with a view to enhancing the effectiveness of the Committee against Torture as soon as possible;

26. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

27. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention,[19] recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

28. *Invites* the Chairpersons of the Committee and the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-fifth session under the sub-item entitled "Implementation of human rights instruments";

29. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution

[19] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 44* (A/63/44).

48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

30. *Welcomes* the interim report of the Special Rapporteur, and encourages the Special Rapporteur[1] to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

31. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

32. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all information requested by the Special Rapporteur, to fully and expeditiously respond to and follow up on his communications, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

33. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with regional organizations and mechanisms, as appropriate, and civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

34. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

35. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

36. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-fifth session a report on the operations of the Funds;

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[1] See A/64/215 and Corr.1.

37. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including in particular the Subcommittee on Prevention of Torture, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

38. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture.

39. *Decides* to consider at its sixty-fifth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

United Nations A/C.3/64/L.23/Rev.1

General Assembly

Distr.: Limited
3 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Albania, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Chile, Congo, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Iraq, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Micronesia (Federated States of), Mongolia, Montenegro, Netherlands, New Zealand, Norway, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, United Kingdom of Great Britain and Northern Ireland, United States of America and Uruguay: revised draft resolution

Torture and other cruel, inhuman or degrading treatment or punishment

The General Assembly,

Reaffirming that no one shall be subjected to torture or to other cruel, inhuman or degrading treatment or punishment,

Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment is a non-derogable right that must be protected under all circumstances, including in times of international or internal armed conflict or disturbance, and that the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment is affirmed in relevant international instruments,

Recalling also that the prohibition of torture is a peremptory norm of international law and that international, regional and domestic courts have held the prohibition of cruel, inhuman or degrading treatment or punishment to be customary international law,

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Recalling further the definition of torture contained in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[1] without prejudice to any international instrument or national legislation which contains or may contain provisions of wider application,

Emphasizing the importance of properly interpreting and implementing the obligations of States with respect to torture and other cruel, inhuman or degrading treatment or punishment, and of abiding strictly by the definition of torture contained in article 1 of the Convention,

Noting that under the Geneva Conventions of 1949,[2] torture and inhuman treatment are a grave breach and that under the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, the statute of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 and the Rome Statute of the International Criminal Court,[3] acts of torture can constitute crimes against humanity and, when committed in a situation of armed conflict, constitute war crimes,

Emphasizing that the entry into force as soon as possible of the International Convention for the Protection of All Persons from Enforced Disappearance[4] and its implementation will make a significant contribution to the prevention and prohibition of torture, including by prohibiting secret places of detention, and encouraging all States that have not done so to consider signing, ratifying or acceding to the Convention,

Commending the persistent efforts of civil society organizations, including non-governmental organizations, national human rights institutions and the considerable network of centres for the rehabilitation of victims of torture, to combat torture and to alleviate the suffering of victims of torture,

1. *Condemns* all forms of torture and other cruel, inhuman or degrading treatment or punishment, including through intimidation, which are and shall remain prohibited at any time and in any place whatsoever and can thus never be justified, and calls upon all States to implement fully the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment;

2. *Emphasizes* that States must take persistent, determined and effective measures to prevent and combat all acts of torture and other cruel, inhuman or degrading treatment or punishment, stresses that all acts of torture must be made offences under domestic criminal law, and encourages States to prohibit under domestic law acts constituting cruel, inhuman or degrading treatment or punishment;

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[1] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[2] Ibid., vol. 75, Nos. 970-973.

[3] Ibid., vol. 2187, No. 38544.

[4] Resolution 61/177, annex.

3. *Welcomes* the establishment of national preventive mechanisms to prevent torture, encourages all States that have not yet done so to establish such mechanisms, and calls upon States parties to the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] to fulfil their obligation to designate or establish truly independent and effective national preventive mechanisms for the prevention of torture;

4. *Emphasizes* the importance of States ensuring proper follow-up to the recommendations and conclusions of the relevant treaty bodies and mechanisms, including the Committee against Torture, the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment;

5. *Condemns* any action or attempt by States or public officials to legalize, authorize or acquiesce in torture and other cruel, inhuman or degrading treatment or punishment under any circumstances, including on grounds of national security or through judicial decisions;

6. *Stresses* that an independent, competent domestic authority must promptly, effectively and impartially examine all allegations of torture or other cruel, inhuman or degrading treatment or punishment and wherever there is reasonable ground to believe that such an act has been committed, and that those who encourage, order, tolerate or perpetrate such acts must be held responsible, brought to justice and punished in a manner commensurate with the severity of the offence, including the officials in charge of the place of detention where the prohibited act is found to have been committed;

7. *Takes note* in this respect of the Principles on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the Istanbul Principles)[6] as a useful tool in efforts to prevent and combat torture and of the updated set of principles for the protection of human rights through action to combat impunity;[7]

8. *Calls upon* all States to implement effective measures to prevent torture and other cruel, inhuman or degrading treatment or punishment, particularly in places of detention and other places where persons are deprived of their liberty, including education and training of personnel who may be involved in the custody, interrogation or treatment of any individual subjected to any form of arrest, detention or imprisonment;

9. *Also calls upon* all States to adopt a gender-sensitive approach in the fight against torture and other cruel, inhuman or degrading treatment or punishment, paying special attention to gender-based violence;

10. *Calls upon* States to ensure that the rights of persons with disabilities, bearing in mind the Convention on the Rights of Persons with Disabilities,[8] are fully integrated into torture prevention and protection, and welcomes the efforts of the Special Rapporteur in this regard;

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[5] Resolution 57/199, annex.
[6] Resolution 55/89, annex.
[7] See E/CN.4/2005/102/Add.1.
[8] Resolution 64/106, annex I.

11. *Encourages* all States to ensure that persons convicted of torture or other cruel, inhuman or degrading treatment or punishment have no subsequent involvement in the custody, interrogation or treatment of any person under arrest, detention, imprisonment or other deprivation of liberty;

12. *Emphasizes* that acts of torture in armed conflict are serious violations of international humanitarian law and in this regard constitute war crimes, that acts of torture can constitute crimes against humanity and that the perpetrators of all acts of torture must be prosecuted and punished;

13. *Strongly urges* States to ensure that no statement that is established to have been made as a result of torture is invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made, and calls upon States to consider extending that prohibition to statements made as a result of cruel, inhuman or degrading treatment or punishment;

14. *Stresses* that States must not punish personnel for not obeying orders to commit or conceal acts amounting to torture or other cruel, inhuman or degrading treatment or punishment;

15. *Urges* States not to expel, return ("refouler"), extradite or in any other way transfer a person to another State where there are substantial grounds for believing that the person would be in danger of being subjected to torture, and recognizes that diplomatic assurances, where used, do not release States from their obligations under international human rights, humanitarian and refugee law, in particular the principle of non-refoulement;

16. *Recalls* that, for the purpose of determining whether there are such grounds, the competent authorities shall take into account all relevant considerations, including, where applicable, the existence in the State concerned of a consistent pattern of gross, flagrant or mass violations of human rights;

17. *Calls upon* States parties to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[1] to fulfil their obligation to submit for prosecution or extradite those alleged to have committed acts of torture, and encourages other States to do likewise, bearing in mind the need to fight impunity;

18. *Stresses* that national legal systems must ensure that victims of torture and other cruel, inhuman or degrading treatment or punishment obtain redress, are awarded fair and adequate compensation and receive appropriate social and medical rehabilitation, urges States to take effective measures to this end, and in this regard encourages the development of rehabilitation centres;

19. *Recalls* its resolution 43/173 of 9 December 1988 on the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, and in this context stresses that ensuring that any individual arrested or detained is promptly brought before a judge or other independent judicial officer in person and permitting prompt and regular medical care and legal counsel as well as visits by family members and independent monitoring mechanisms are effective measures for the prevention of torture and other cruel, inhuman or degrading treatment or punishment;

20. *Reminds* all States that prolonged incommunicado detention or detention in secret places can facilitate the perpetration of torture and other cruel, inhuman or

degrading treatment or punishment and can in itself constitute a form of such treatment, and urges all States to respect the safeguards concerning the liberty, security and dignity of the person and to ensure that secret places of detention and interrogation are abolished;

21. *Emphasizes* that conditions of detention must respect the dignity and human rights of detainees, highlights the importance of reflecting on this in efforts to promote respect for and protection of the rights of detainees, and notes in this regard concerns about solitary confinement;

22. *Calls upon* all States to take appropriate effective legislative, administrative, judicial and other measures to prevent and prohibit the production, trade, export and use of equipment that is specifically designed to inflict torture or other cruel, inhuman or degrading treatment or punishment;

23. *Urges* all States that have not yet done so to become parties to the Convention as a matter of priority, and calls upon States parties to give early consideration to signing and ratifying the Optional Protocol to the Convention;

24. *Urges* all States parties to the Convention that have not yet done so to make the declarations provided for in articles 21 and 22 concerning inter-State and individual communications, to consider the possibility of withdrawing their reservations to article 20, and to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 with a view to enhancing the effectiveness of the Committee against Torture as soon as possible;

25. *Urges* States parties to comply strictly with their obligations under the Convention, including, in view of the high number of reports not submitted in time, their obligation to submit reports in accordance with article 19 of the Convention, and invites States parties to incorporate a gender perspective and information concerning children and juveniles and persons with disabilities when submitting reports to the Committee;

26. *Welcomes* the work of the Committee and its report submitted in accordance with article 24 of the Convention,[9] recommends that the Committee continue to include information on the follow-up by States to its recommendations, and supports the Committee in its intention to further improve the effectiveness of its working methods;

27. *Invites* the Chairpersons of the Committee and the Subcommittee to present oral reports on the work of the committees and to engage in an interactive dialogue with the General Assembly at its sixty-fifth session under the sub-item entitled "Implementation of human rights instruments";

28. *Calls upon* the United Nations High Commissioner for Human Rights, in conformity with her mandate established by the General Assembly in its resolution 48/141 of 20 December 1993, to continue to provide, at the request of States, advisory services for the prevention of torture and other cruel, inhuman or degrading treatment or punishment, including for the preparation of national reports to the Committee and for the establishment and operation of national preventive mechanisms, as well as technical assistance for the development, production and distribution of teaching material for this purpose;

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[9] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 44* (A/63/44).

29. *Takes note with appreciation* of the interim report of the Special Rapporteur,[10] and encourages the Special Rapporteur to continue to include in his recommendations proposals on the prevention and investigation of torture and other cruel, inhuman or degrading treatment or punishment, including its gender-based manifestations;

30. *Requests* the Special Rapporteur to continue to consider including in his report information on the follow-up by States to his recommendations, visits and communications, including progress made and problems encountered, and on other official contacts;

31. *Calls upon* all States to cooperate with and assist the Special Rapporteur in the performance of his task, to supply all necessary information requested by the Special Rapporteur, to fully and expeditiously respond to and follow up on his urgent appeals, to give serious consideration to responding favourably to requests by the Special Rapporteur to visit their countries and to enter into a constructive dialogue with the Special Rapporteur on requested visits to their countries as well as with respect to the follow-up to his recommendations;

32. *Stresses* the need for the continued regular exchange of views among the Committee, the Subcommittee, the Special Rapporteur and other relevant United Nations mechanisms and bodies, as well as for the pursuance of cooperation with relevant United Nations programmes, notably the United Nations Crime Prevention and Criminal Justice Programme, with regional organizations and mechanisms, as appropriate, and civil society organizations, including non-governmental organizations, with a view to enhancing further their effectiveness and cooperation on issues relating to the prevention and eradication of torture, inter alia, by improving their coordination;

33. *Recognizes* the global need for international assistance to victims of torture, stresses the importance of the work of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture, appeals to all States and organizations to contribute annually to the Fund, preferably with a substantial increase in the level of contributions, and encourages contributions to the Special Fund established by the Optional Protocol to help finance the implementation of the recommendations made by the Subcommittee as well as education programmes of the national preventive mechanisms;

34. *Requests* the Secretary-General to continue to transmit to all States the appeals of the General Assembly for contributions to the Funds and to include the Funds on an annual basis among the programmes for which funds are pledged at the United Nations Pledging Conference for Development Activities;

35. *Also requests* the Secretary-General to submit to the Human Rights Council and to the General Assembly at its sixty-fifth session a report on the operations of the Funds;

36. *Further requests* the Secretary-General to ensure, within the overall budgetary framework of the United Nations, the provision of adequate staff and facilities for the bodies and mechanisms involved in preventing and combating torture and assisting victims of torture or other cruel, inhuman or degrading treatment or punishment, including in particular the Subcommittee on Prevention of

[10] See A/64/215 and Corr.1

Torture, commensurate with the strong support expressed by Member States for preventing and combating torture and assisting victims of torture;

37. *Calls upon* all States, the Office of the United Nations High Commissioner for Human Rights and other United Nations bodies and agencies, as well as relevant intergovernmental and civil society organizations, including non-governmental organizations, to commemorate, on 26 June, the United Nations International Day in Support of Victims of Torture;

38. *Decides* to consider at its sixty-fifth session the reports of the Secretary-General, including the report on the United Nations Voluntary Fund for Victims of Torture and the Special Fund established by the Optional Protocol, the report of the Committee against Torture and the interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.

United Nations A/C.3/64/L.24

General Assembly

Distr.: Limited
20 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Australia, Austria, Belgium, Bosnia and Herzegovina, Canada, Costa Rica, Croatia, Ecuador, Guatemala, Hungary, Iceland, Ireland, Japan, Jordan, Luxembourg, Mexico, Netherlands, New Zealand, Qatar, Republic of Korea, Senegal, Sweden, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Uruguay: draft resolution

Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

The General Assembly,

Recalling its previous relevant resolutions, the most recent of which was resolution 63/192 of 18 December 2008, as well as relevant resolutions of the Human Rights Council, the Commission for Social Development and the Commission on Human Rights,

1. *Welcomes* the fact that, since the opening for signature of the Convention on the Rights of Persons with Disabilities[1] and the Optional Protocol[2] thereto on 30 March 2007, one hundred and forty-three States have signed and seventy-one States have ratified the Convention and eighty-seven States have signed and forty-five States have ratified the Optional Protocol, and that one regional integration organization has signed the Convention;

2. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority;

3. *Welcomes* the holding of the second session of the Conference of States Parties to the Convention, from 2 to 4 September 2009, and the commencement of work of the Committee on the Rights of Persons with Disabilities;

[1] Resolution 61/106, annex I.
[2] Ibid., annex II.

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4. *Also welcomes* the report of the Secretary-General[3] and the activities undertaken in support of the Convention;

5. *Encourages* the Inter-Agency Support Group on the Convention to continue its work to mainstream the Convention on the Rights of Persons with Disabilities throughout the United Nations system, and calls upon the Department of Economic and Social Affairs and the Office of the United Nations High Commissioner for Human Rights to continue strengthening their cooperation in this regard;

6. *Invites* the Secretary-General to intensify efforts to assist States to become parties to the Convention and the Optional Protocol, including by providing assistance with a view to achieving universal adherence;

7. *Requests* the Secretary-General to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations, including interim arrangements;

8. *Also requests* the Secretary-General to take further actions to promote the rights of persons with disabilities in the United Nations system in accordance with the Convention, including the retention and recruitment of persons with disabilities;

9. *Further requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue to strengthen efforts undertaken to disseminate accessible information on the Convention and the Optional Protocol, including to children and young people to promote their understanding, and to assist States parties in implementing their obligations under those instruments;

10. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the status of the Convention and the Optional Protocol and the implementation of the present resolution.

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[3] A/64/128 and Corr.1.

General Assembly

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

Syrian Arab Republic: amendment to draft resolution A/C.3/64/L.16/Rev.1

Intensification of efforts to eliminate all forms of violence against women

After the last preambular paragraph, insert the following paragraph:

Reaffirms that the persistence of armed conflict in various parts of the world is a major impediment to the elimination of all forms of violence against women, and, bearing in mind that armed and other types of conflict and terrorism and hostage-taking still persist in many parts of the world and that aggression, foreign occupation and ethnic and other types of conflict are an ongoing reality affecting women and men in nearly every region, calls upon all States and the international community to place particular focus on and give priority attention and increased assistance to the plight and suffering of women and girls living in such situations and to ensure that, where violence is committed against them, all perpetrators of such violence are duly investigated and, as appropriate, prosecuted and punished in order to end impunity, while stressing the need to respect international humanitarian law and human rights law;

09-57955 (E) 271009

United Nations A/C.3/64/L.25*

General Assembly

Distr.: Limited
27 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

Sudan: † amendment to draft resolution A/C.3/64/L.16/Rev.1

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After the last preambular paragraph, insert the following paragraph:

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* Reissued for technical reasons.

† On behalf of the States Members of the United Nations that are members of the Arab Group.

09-57955* (E) 281009

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United Nations A/C.3/64/L.26

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Andorra, Australia, Canada, Colombia, Japan, Monaco, New Zealand, Panama, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 62/150 of 18 December 2007,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Noting with satisfaction that increasing numbers of Member States are using elections as a peaceful means of discerning the will of the people, which builds confidence in representational governance and contributes to greater national peace and stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,[1] in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right freely to choose representatives through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

[1] Resolution 217 A (III).

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Reaffirming the International Covenant on Civil and Political Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women[3] and the International Convention on the Elimination of All Forms of Racial Discrimination,[4] in particular that citizens have the right to vote and to participate in genuine periodic elections,

Stressing the importance, generally and in the context of promoting fair and free elections, of respect for the freedom to seek, receive and impart information, and noting, in particular, the fundamental importance of access to information, and media freedom,

Recognizing the need for strengthening democratic processes, electoral institutions and national capacity-building, including the capacity to administer fair elections, promote women's participation on equal terms with men, increase citizen participation and provide civic education, in requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Noting the importance of ensuring orderly, open, fair and transparent democratic processes that preserve the right of peaceful assembly,

Noting further the role that the international community could play in creating conditions which could foster stability and security throughout the election and post-election period,

Reiterating that transparency is a fundamental basis for free and fair elections, which contribute to the accountability of leaders to their citizens, which, in turn, is an underpinning of democratic societies,

Acknowledging in this regard the importance of international election observation for the promotion of free and fair elections, and its contribution to enhancing the integrity of election processes, to promoting public confidence and electoral participation and to mitigating the potential for election-related conflict,

Welcoming the support provided by Member States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations Trust Fund for Electoral Assistance, the Democratic Governance Thematic Trust Fund and the United Nations Democracy Fund,

Emphasizing that electoral assistance, particularly the provision of electoral technology, ought to be sustainable and cost-effective,

Recognizing the increase in actors involved in electoral assistance both inside and outside the United Nations,

Welcoming also the contributions made by international and regional organizations and also by non-governmental organizations to enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization,

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[2] Resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[4] Ibid., vol. 660, No. 9464.

Having considered the report of the Secretary-General,[5]

1. *Welcomes* the report of the Secretary-General;[5]

2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the evolving needs of requesting countries to develop, improve and refine their electoral institutions and processes, recognizing that the fundamental responsibility for organizing free and fair elections lies with Governments;

3. *Requests* the Under-Secretary-General for Political Affairs, in his role as United Nations focal point for electoral assistance matters, to continue to inform Member States regularly about the requests received and the nature of any assistance provided;

4. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, including the provision of long-term technical cooperation, that conditions exist to allow a free and fair election and that the results of the mission will be reported comprehensively and consistently;

5. *Recommends* that, throughout the time span of the entire electoral cycle, including before and after elections, as appropriate, based on a needs assessment that takes into account sustainability and cost-effectiveness, the United Nations continue to provide technical advice and other assistance to requesting States and electoral institutions in order to help to strengthen their democratic processes;

6. *Notes with appreciation* the additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and needs-specific responses to requests for electoral assistance, encourages those organizations to share knowledge and experience in order to promote best practices in the assistance they provide and in their reporting on electoral processes, and expresses its appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

7. *Encourages* relevant actors to join the emerging consensus surrounding the Declaration of Principles for International Election Observation, which aim to harmonize the methods and standards of the many intergovernmental and non-governmental organizations engaged in observing elections;

8. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Assistance, and, bearing in mind that the Fund is currently close to depletion, calls upon Member States to consider contributing to the Fund;

9. *Encourages* the Secretary-General, through the United Nations focal point for electoral assistance matters and with the support of the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, to continue responding to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at

[5] A/64/304.

supporting and strengthening the existing capacity of the requesting Government, in particular by enhancing the capacity of national electoral institutions;

10. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, including to enhance the accessibility and diversity of the roster of electoral experts and the Organization's electoral institutional memory, and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Division, to the numerous and increasingly complex and comprehensive requests from Member States for advisory services;

11. *Reiterates* the need for ongoing comprehensive coordination, under the auspices of the United Nations focal point for electoral assistance matters, between the Electoral Assistance Division and the United Nations Development Programme and the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat to ensure coherence of United Nations electoral assistance, and encourages further engagement of the Office of the High Commissioner and other relevant United Nations agencies in this context;

12. *Requests* the United Nations Development Programme to continue its democratic governance assistance programmes in cooperation with other relevant organizations, in particular those that strengthen democratic institutions and linkages between civil society and Governments;

13. *Reiterates* the importance of reinforced coordination within and outside the United Nations system, and reaffirms the role of the United Nations focal point for electoral assistance in ensuring system-wide coherence and consistency and in strengthening the institutional memory and the development and dissemination of electoral policies;

14. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance, and on his efforts to enhance support by the Organization for the democratization process in Member States.

United Nations A/C.3/64/L.26/Rev.1

General Assembly

Distr.: Limited
18 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Andorra, Argentina, Australia, Benin, Bosnia and Herzegovina, Botswana, Bulgaria, Canada, Chile, Colombia, Costa Rica, Croatia, Czech Republic, Dominican Republic, El Salvador, Estonia, France, Guatemala, Haiti, Hungary, Honduras, India, Indonesia, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Malawi, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, New Zealand, Norway, Panama, Peru, Philippines, Republic of Korea, Republic of Moldova, Romania, Seychelles, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America and Zambia: revised draft resolution

Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization

The General Assembly,

Reaffirming that democracy is a universal value based on the freely expressed will of people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Reaffirming also that, while democracies share common features, there is no single model of democracy and that democracy does not belong to any country or region, and reaffirming further the necessity of due respect for sovereignty and the right to self-determination,

Stressing that democracy, development and respect for all human rights and fundamental freedoms are interdependent and mutually reinforcing,

Reaffirming further that Member States are responsible for organizing, conducting and ensuring free and fair electoral processes and that Member States, in the exercise of their sovereignty, may request that international organizations provide advisory services or assistance for strengthening and developing their

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electoral institutions and processes, including sending preliminary missions for that purpose,

Recalling its previous resolutions on the subject, in particular resolution 62/150 of 18 December 2007,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Noting with satisfaction that increasing numbers of Member States are using elections as a peaceful means of discerning the will of the people, which builds confidence in representational governance and contributes to greater national peace and stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,[1] in particular the principle that the will of the people, as expressed through periodic and genuine elections, shall be the basis of government authority, as well as the right freely to choose representatives through periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

Reaffirming the International Covenant on Civil and Political Rights,[2] the Convention on the Elimination of All Forms of Discrimination against Women[3] and the International Convention on the Elimination of All Forms of Racial Discrimination,[4] in particular that citizens, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, have the right and opportunity to take part in the conduct of public affairs, directly or through freely chosen representatives and to vote and to be elected in genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors,

Stressing the importance, generally and in the context of promoting fair and free elections, of respect for the freedom to seek, receive and impart information, in accordance with the International Covenant on Civil and Political Rights, and noting, in particular, the fundamental importance of access to information, and media freedom,

Recognizing the need for strengthening democratic processes, electoral institutions and national capacity-building in requesting countries, including the capacity to administer fair elections, promote women's participation on equal terms with men, increase citizen participation and provide civic education in requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Noting the importance of ensuring orderly, open, fair and transparent democratic processes that preserve the right of peaceful assembly,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[4] Ibid., vol. 660, No. 9464.

Noting further that the international community can contribute in creating conditions which could foster stability and security throughout the pre-election, election and post-election periods, in particular in transitional and post-conflict situations,

Reiterating that transparency is a fundamental basis for free and fair elections, which contribute to the accountability of leaders to their citizens, which, in turn, is an underpinning of democratic societies,

Acknowledging in this regard the importance of international election observation for the promotion of free and fair elections, and its contribution to enhancing the integrity of election processes, to promoting public confidence and electoral participation and to mitigating the potential for election-related disturbances,

Acknowledging that extending invitations regarding international electoral assistance and/or observation is the sovereign right of Member States, and welcoming the decisions of those States that have requested such assistance and/or observation,

Welcoming the support provided by Member States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations Trust Fund for Electoral Assistance, the Democratic Governance Thematic Trust Fund and the United Nations Democracy Fund,

Recognizing that electoral assistance, particularly through appropriate, sustainable and cost-effective electoral technology, supports the electoral processes of developing countries,

Recognizing the coordination challenges posed by the multiplicity of actors involved in electoral assistance both inside and outside the United Nations,

Welcoming also the contributions made by international and regional organizations and also by non-governmental organizations to enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization,

1. *Welcomes* the report of the Secretary-General;[5]

2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the evolving needs and legislation of requesting countries to develop, improve and refine their electoral institutions and processes, recognizing that the responsibility for organizing free and fair elections lies with Governments;

3. *Reaffirms* that the electoral assistance provided by the United Nations should continue to be carried out in an objective, impartial, neutral and independent manner;

4. *Requests* the Under-Secretary-General for Political Affairs, in his role as United Nations focal point for electoral assistance matters, to continue to inform Member States regularly about the requests received and the nature of any assistance provided;

[5] A/64/304.

5. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, including the provision of long-term technical cooperation, that conditions exist to allow a free and fair election and that the results of the mission will be reported comprehensively and consistently;

6. *Recommends* that, throughout the time span of the entire electoral cycle, including before and after elections, as appropriate, based on a needs assessment, and in accordance with the evolving needs of requesting Member States bearing in mind sustainability and cost-effectiveness, the United Nations continue to provide technical advice and other assistance to requesting States and electoral institutions in order to help to strengthen their democratic processes;

7. *Notes with appreciation* the additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and needs-specific responses to requests for electoral assistance, encourages those organizations to share knowledge and experience in order to promote best practices in the assistance they provide and in their reporting on electoral processes, and expresses its appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

8. *Acknowledges* the aim of harmonizing the methods and standards of the many inter-governmental and non-governmental organizations engaged in observing elections, and in this regard expresses appreciation for the Declaration of Principles for International Election Observation and the Code of Conduct for International Observers, which elaborate guidelines for international electoral observation;

9. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Assistance, and, bearing in mind that the Fund is currently close to depletion, calls upon Member States to consider contributing to the Fund;

10. *Encourages* the Secretary-General, through the United Nations focal point for electoral assistance matters and with the support of the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, to continue responding to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular by enhancing the capacity of national electoral institutions;

11. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, including to enhance the accessibility and diversity of the roster of electoral experts and the Organization's electoral institutional memory, and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Division, to the numerous and increasingly complex and comprehensive requests from Member States for advisory services;

12. *Reiterates* the need for ongoing comprehensive coordination, under the auspices of the United Nations focal point for electoral assistance matters, between the Electoral Assistance Division and the United Nations Development Programme

and the Department of Peacekeeping Operations and the Department of Field Support of the Secretariat to ensure coordination and coherence and avoid duplication of United Nations electoral assistance, and encourages further engagement of the Office of the United Nations High Commissioner for Human Rights in this context;

13. *Requests* the United Nations Development Programme to continue its democratic governance assistance programmes in cooperation with other relevant organizations, in particular those that promote the strengthening of democratic institutions and linkages between civil society and Governments;

14. *Reiterates* the importance of reinforced coordination within and outside the United Nations system, and reaffirms the role of the United Nations focal point for electoral assistance in ensuring system-wide coherence and consistency and in strengthening the institutional memory and the development and dissemination of electoral policies;

15. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance, and on his efforts to enhance support by the Organization for the democratization process in Member States.

United Nations A/C.3/64/L.27

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Belarus, Syrian Arab Republic* and Venezuela (Bolivarian Republic of): draft resolution

Combating defamation of religions

The General Assembly,

Reaffirming the pledge made by all States, under the Charter of the United Nations, to promote and encourage universal respect for and observance of all human rights and fundamental freedoms without distinction as to race, sex, language or religion,

Recalling the relevant international instruments on the elimination of discrimination, in particular the International Convention on the Elimination of All Forms of Racial Discrimination,[1] the International Covenant on Civil and Political Rights,[2] the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief,[3] the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live[4] and the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,[5]

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated,

* On behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference.

[1] United Nations, *Treaty Series*, vol. 660, No. 9464.

[2] See resolution 2200 A (XXI), annex.

[3] See resolution 36/55.

[4] Resolution 40/144, annex.

[5] Resolution 47/135, annex.

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Recalling the relevant resolutions of the Commission on Human Rights and the Human Rights Council in this regard,

Welcoming the resolve expressed in the United Nations Millennium Declaration adopted by the General Assembly on 8 September 2000[6] to take measures to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies, and looking forward to its effective implementation at all levels,

Underlining in this regard the importance of the Durban Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, in 2001,[7] and the Outcome Document of the Durban Review Conference, held in Geneva in April 2009,[8] and welcoming the progress achieved in implementing them, and emphasizing that they constitute a solid foundation for the elimination of all scourges and manifestations of racism, racial discrimination, xenophobia and related intolerance,

Expressing concern at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, as a result, inter alia, of the resurgence of activities of political parties and associations established on the basis of racist, xenophobic and ideological superiority platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Deeply alarmed at the rising trends towards discrimination based on religion or belief, including in some national policies, laws and administrative measures that stigmatize groups of people belonging to certain religions and beliefs under a variety of pretexts relating to security and irregular immigration, thereby legitimizing discrimination against them, and consequently impairing their enjoyment of the right to freedom of thought, conscience and religion, and impeding their ability to observe, practise and manifest their religion freely and without fear of coercion, violence or reprisal,

Noting with deep concern the serious instances of intolerance, discrimination and acts of violence based on religion or belief, intimidation and coercion motivated by extremism, religious or otherwise, occurring in many parts of the world, in addition to the negative projection of certain religions in the media and the introduction and enforcement of laws and administrative measures that specifically discriminate against and target persons with certain ethnic and religious backgrounds, particularly Muslim minorities following the events of 11 September 2001, and that threaten to impede their full enjoyment of human rights and fundamental freedoms,

Stressing that the defamation of religions is a serious affront to human dignity leading to the illicit restriction of the freedom of religion of their adherents and incitement to religious hatred and violence,

Stressing also the need to effectively combat defamation of all religions, and incitement to religious hatred in general,

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[6] See resolution 55/2.

[7] See A/CONF.189/12 and Corr.1, chap. I.

[8] A/CONF.211/8.

Reaffirming that discrimination on the grounds of religion or belief constitutes a violation of human rights and a disavowal of the principles of the Charter,

Noting with concern that the defamation of religions, and incitement to religious hatred in general, could lead to social disharmony and violations of human rights, and alarmed at the inaction of some States to combat this burgeoning trend and the resulting discriminatory practices against adherents of certain religions,

Taking note of the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance submitted to the Human Rights Council at its fourth, sixth, ninth and twelfth[9] sessions, in which the Special Rapporteur highlighted the serious nature of the defamation of all religions and the need to complement legal strategies, and reiterating the call of the Special Rapporteur to all States to wage a systematic campaign against incitement to racial and religious hatred by maintaining a careful balance between the defence of secularism and respect for freedom of religion and by acknowledging and respecting the complementarity of all the freedoms embodied in internationally agreed human rights instruments, including the International Covenant on Civil and Political Rights,

Recalling the proclamation of the Global Agenda for Dialogue among Civilizations,[10] and inviting States, the organizations and bodies of the United Nations system, within existing resources, other international and regional organizations and civil society to contribute to the implementation of the Programme of Action contained in the Global Agenda,

Welcoming the efforts of the Alliance of Civilizations initiative in promoting mutual respect and understanding among different cultures and societies, including the second forum of the Alliance, held in Istanbul, Turkey, on 6 and 7 April 2009, its third forum, to be held in Brazil in 2010, and its fourth forum, to be held in Qatar in 2011,

Recognizing the valuable contributions of all religions and beliefs to modern civilization and the contribution that dialogue among civilizations can make to an improved awareness and understanding of common values,

Convinced that respect for cultural, ethnic, religious and linguistic diversity, as well as dialogue among and within civilizations, are essential for peace, understanding and friendship among individuals and people of the different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards people belonging to different cultures, religions and beliefs give rise to polarization and disturb social cohesion, generating hatred and violence among peoples and nations throughout the world,

Underlining the important role of education in the promotion of tolerance, which involves acceptance by the public of, and its respect for, diversity, including with regard to religious expressions, and underlining also the fact that education should contribute in a meaningful way to promoting tolerance and the elimination of discrimination based on religion or belief,

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[9] A/HRC/4/19, A/HRC/6/6, A/HRC/9/12 and A/HRC/12/38.

[10] See resolution 56/6.

Reaffirming the need for all States to continue their national and international efforts to enhance dialogue and broaden understanding among civilizations, cultures, religions and beliefs, and emphasizing that States, regional organizations, non-governmental organizations, religious bodies and the media have an important role to play in promoting tolerance, respect for and freedom of religion and belief,

Welcoming all international and regional initiatives aimed at promoting cross-cultural and interfaith harmony, including the international dialogue on interfaith cooperation, the World Conference on Dialogue, held in Madrid from 16 to 18 July 2008, and the High-level meeting of the General Assembly on the culture of peace, held on 12 and 13 November 2008, and their valuable efforts towards the promotion of a culture of peace and dialogue at all levels, and taking note with appreciation of the programmes led by the United Nations Educational, Scientific and Cultural Organization in this regard,

Underlining the importance of increasing contacts at all levels in order to deepen dialogue and reinforce understanding among different cultures, religions, beliefs and civilizations, and in this regard taking note with appreciation of the Declaration and Programme of Action adopted by the Ministerial Meeting on Human Rights and Cultural Diversity of the Movement of Non-Aligned Countries, held in Tehran on 3 and 4 September 2007,[11]

Recognizing the importance of the interface between religion and race, and that instances can arise of multiple or aggravated forms of discrimination on the basis of religion and other grounds such as race, colour, descent, or national or ethnic origin,[12]

Recalling its resolution 63/171 of 18 December 2008,

1. *Takes note* of the report of the Secretary-General[13] and the conclusions contained therein;

2. *Expresses deep concern* at the negative stereotyping of religions and manifestations of intolerance and discrimination in matters of religion or belief still evident in the world;

3. *Strongly deplores* all acts of psychological and physical violence and assaults, and incitement thereto, against persons on the basis of their religion or belief, and such acts directed against their businesses, properties, cultural centres and places of worship, as well as targeting of holy sites and religious symbols of all religions;

4. *Expresses deep concern* at the programmes and agendas pursued by extremist organizations and groups aimed at creating and perpetuating stereotypes about certain religions, in particular when condoned by Governments;

5. *Notes with deep concern* the intensification of the overall campaign of the defamation of religions, and incitement to religious hatred in general, including

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[11] A/62/464, annex.

[12] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 18* (A/62/18), annex V, pp. 123-133 and 134-140; CERD/C/63/CO/11, para. 20 (10 December 2003); CERD/C/63/CO/6, para. 14 (10 December 2003); CERD/C/NGA/CO/18, para. 20 (1 November 2005); CERD/C/TZA/CO/16, para. 20 (1 November 2005); CERD/C/IRL/CO/2, para. 18 (14 April 2005); and CERD/C/RUS/CO/19, paras. 16 and 17 (20 August 2008).

[13] A/64/209.

the ethnic and religious profiling of Muslim minorities in the aftermath of the tragic events of 11 September 2001;

6. *Recognizes* that, in the context of the fight against terrorism, defamation of religions and incitement to religious hatred in general become aggravating factors that contribute to the denial of fundamental rights and freedoms of members of target groups, as well as their economic and social exclusion;

7. *Expresses deep concern* in this respect that Islam is frequently and wrongly associated with human rights violations and terrorism;

8. *Reiterates* the commitment of all States to the implementation, in an integrated manner, of the United Nations Global Counter-Terrorism Strategy, which was adopted without a vote by the General Assembly on 8 September 2006[14] and reaffirmed by the Assembly in its resolution 62/272 of 5 September 2008, and which clearly confirms, inter alia, that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, stressing the need to reinforce the international community's commitment to promote a culture of peace, justice and human development, ethnic, national and religious tolerance, and respect for all religions, religious values, beliefs or cultures and prevent the defamation of religions;

9. *Deplores* the use of the print, audio-visual and electronic media, including the Internet, and any other means to incite acts of violence, xenophobia or related intolerance and discrimination against any religion, as well as targeting of religious symbols;

10. *Emphasizes* that, as stipulated in international human rights law, everyone has the right to hold opinions without interference, and has the right to freedom of expression, the exercise of which carries with it special duties and responsibilities and may therefore be subject to limitations as are provided for by law and are necessary for respect of the rights or reputations of others, protection of national security or of public order, public health or morals;

11. *Reaffirms* that general recommendation XV (42) of the Committee on the Elimination of Racial Discrimination,[15] in which the Committee stipulated that the prohibition of the dissemination of all ideas based upon racial superiority or hatred is compatible with freedom of opinion and expression, is equally applicable to the question of incitement to religious hatred;

12. *Strongly condemns* all manifestations and acts of racism, racial discrimination, xenophobia and related intolerance against national or ethnic, religious and linguistic minorities and migrants and the stereotypes often applied to them, including on the basis of religion or belief, and urges all States to apply and, where applicable, reinforce existing laws when such xenophobic or intolerant acts, manifestations or expressions occur, in order to eradicate impunity for those who commit xenophobic and racist acts;

13. *Reaffirms* the obligation of all States to enact the necessary legislation to prohibit the advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, and encourages States, in their

[14] Resolution 60/288.

[15] See *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 18* (A/48/18), chap. VIII, sect. B.

follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,[7] to include aspects relating to national or ethnic, religious and linguistic minorities in their national plans of action and, in this context, to take forms of multiple discrimination against minorities fully into account;

14. *Invites* all States to put into practice the provisions of the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief;[3]

15. *Urges* all States to provide, within their respective legal and constitutional systems, adequate protection against acts of hatred, discrimination, intimidation and coercion resulting from the defamation of religions, and incitement to religious hatred in general;

16. *Also urges* all States to take all possible measures to promote tolerance and respect for all religions and beliefs and the understanding of their value systems and to complement legal systems with intellectual and moral strategies to combat religious hatred and intolerance;

17. *Welcomes* the recent steps taken by Member States to protect freedom of religion through the enactment or strengthening of domestic frameworks and legislations to prevent the defamation of religions and the negative stereotyping of religious groups;

18. *Urges* all States to ensure that all public officials, including members of law enforcement bodies, the military, civil servants and educators, in the course of their official duties, respect people regardless of their different religions and beliefs and do not discriminate against persons on the grounds of their religion or belief, and that any necessary and appropriate education or training is provided;

19. *Underscores* the need to combat defamation of religions, and incitement to religious hatred in general, by strategizing and harmonizing actions at the local, national, regional and international levels through education and awareness-raising, and urges all States to ensure equal access to education for all, in law and in practice, including access to free primary education for all children, both girls and boys, and access for adults to lifelong learning and education based on respect for human rights, diversity and tolerance, without discrimination of any kind, and to refrain from any legal or other measures leading to racial segregation in access to schooling;

20. *Calls upon* all States to exert the utmost efforts, in accordance with their national legislation and in conformity with international human rights and humanitarian law, to ensure that religious places, sites, shrines and symbols are fully respected and protected, and to take additional measures in cases where they are vulnerable to desecration or destruction;

21. *Also calls upon* the international community to foster a global dialogue to promote a culture of tolerance and peace at all levels, based on respect for human rights and diversity of religion and belief, and urges States, non-governmental organizations, religious leaders and bodies and the print and electronic media to support and foster such a dialogue;

22. *Affirms* that the Human Rights Council shall promote universal respect for all religious and cultural values and address instances of intolerance,

discrimination and incitement of hatred against members of any community or adherents of any religion, as well as the means to consolidate international efforts in order to combat impunity for such deplorable acts;

23. *Welcomes* the initiative by the United Nations High Commissioner for Human Rights on the expert seminar on freedom of expression and advocacy of religious hatred that constitutes incitement to discrimination, hostility or violence, on 2 and 3 October 2008, and requests the High Commissioner to continue to build on this initiative, with a view to concretely contributing to the prevention and elimination of all such forms of incitement and the consequences of negative stereotyping of religions or beliefs, and their adherents, on the human rights of those individuals and their communities;

24. *Takes note* of the efforts of the High Commissioner to promote and include human rights aspects in educational programmes, particularly the World Programme for Human Rights Education proclaimed by the General Assembly on 10 December 2004,[16] and calls upon the High Commissioner to continue those efforts, with particular focus on:

(a) The contributions of cultures, as well as religious and cultural diversity;

(b) Collaboration with other relevant bodies of the United Nations system and regional and international organizations in holding joint conferences designed to encourage dialogue among civilizations and promote understanding of the universality of human rights and their implementation at various levels, in particular the Office of the United Nations High Representative for the Alliance of Civilizations, the United Nations Educational, Scientific and Cultural Organization and the unit within the Secretariat mandated to interact with various entities within the United Nations system and coordinate their contribution to the intergovernmental process;

25. *Requests* the Secretary-General to submit a report on the implementation of the present resolution, including on the possible correlation between defamation of religions and the upsurge in incitement, intolerance and hatred in many parts of the world, to the General Assembly at its sixty-fifth session.

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[16] See resolutions 59/113 A and B.

United Nations A/C.3/64/L.28

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Angola, Bangladesh, Belarus, Benin, Bolivia (Plurinational State of), Burundi, Cameroon, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, El Salvador, Eritrea, Honduras, Indonesia, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Malaysia, Myanmar, Nicaragua, Nigeria, Russian Federation, Sudan, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe: draft resolution

Promotion of a democratic and equitable international order

The General Assembly,

Recalling its previous resolutions on the promotion of a democratic and equitable international order, including resolution 63/189 of 18 December 2008, and taking note of Human Rights Council resolution 8/5 of 18 June 2008,[1]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

[1] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. III, sect. A.

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Please recycle

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[2] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Stressing that the responsibility for managing worldwide economic and social issues, as well as threats to international peace and security, must be shared among the nations of the world and should be exercised multilaterally, and that in this regard the central role must be played by the United Nations, as the most universal and representative organization in the world,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Considering that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Recognizing that the promotion and protection of human rights should be based on the principle of cooperation and genuine dialogue and aimed at strengthening the capacity of Member States to comply with their human rights obligations for the benefit of all human beings,

Emphasizing that democracy is not only a political concept, but that it also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of

[2] Resolution 217 A (III).

the necessary foundations for the realization of social and people-centred sustainable development,

Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Concerned that the current global economic, financial, energy and food crises, resulting from a combination of several major factors, including macroeconomic and other factors, such as environmental degradation, desertification and global climate change, natural disasters and the lack of financial resources and the technology necessary to confront their negative impact in developing countries, particularly in the least developed countries and small island developing States, represent a global scenario that is threatening the adequate enjoyment of all human rights and is widening the gap between developed and developing countries,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and countries with economies in transition and are formulated and implemented with their effective participation,

Stressing also the need for adequate financing of and technology transfer to developing countries, in particular the landlocked developing countries and small island developing States, including to support their efforts to adapt to climate change,

Having listened to the peoples of the world, and recognizing their aspirations to justice, to equality of opportunity for all, to the enjoyment of their human rights, including the right to development, to live in peace and freedom and to equal participation without discrimination in economic, social, cultural, civil and political life,

Resolved to take all measures within its power to secure a democratic and equitable international order,

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Calls upon* all Member States to fulfil their commitment expressed in Durban, South Africa, during the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to maximize the benefits of globalization through, inter alia, the strengthening and enhancement of international cooperation to increase equality of opportunities for trade, economic growth and sustainable development, global communications through the use of new technologies, and increased intercultural exchange through the preservation and promotion of cultural diversity,[3] and reiterates that only through broad and sustained

[3] See A/CONF.189/12 and Corr.1, chap. I.

efforts to create a shared future based upon our common humanity and all its diversity can globalization be made fully inclusive and equitable;

4. *Affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(*a*) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(*b*) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(*c*) The right of every human person and all peoples to development;

(*d*) The right of all peoples to peace;

(*e*) The right to an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(*f*) International solidarity, as a right of peoples and individuals;

(*g*) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(*h*) The right to equitable participation of all, without any discrimination, in domestic and global decision-making;

(*i*) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(*j*) The promotion of a free, just, effective and balanced international information and communications order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular correcting the inequalities in the flow of information to and from developing countries;

(*k*) Respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(*l*) The right of every person and all peoples to a healthy environment and to enhanced international cooperation that responds effectively to the needs for assistance of national efforts to adapt to climate change, particularly in developing countries, and that promotes the fulfilment of international agreements in the field of mitigation;

(*m*) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(*n*) The enjoyment by everyone of ownership of the common heritage of mankind in connection to the public right of access to culture;

(*o*) The shared responsibility of the nations of the world for managing worldwide economic and social development as well as threats to international peace and security that should be exercised multilaterally;

5. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

6. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

7. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

8. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

9. *Reaffirms* the need to continue working urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries, and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[4]

10. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

11. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

12. *Requests* the Human Rights Council, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights, the special mechanisms extended by the Council and the Human Rights Council Advisory Committee to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

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[4] See resolution 3201 (S-VI) and 3202 (S-VI).

13. *Calls upon* the Office of the High Commissioner to build upon the issue of the promotion of a democratic and equitable international order;

14. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations, and to disseminate it on the widest possible basis;

15. *Decides* to continue consideration of the matter at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

United Nations A/C.3/64/L.29

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Algeria, Angola, Bangladesh, Belarus, Benin, Bolivia (Plurinational State of), Burundi, Cape Verde, Central African Republic, China, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Egypt, Eritrea, Honduras, Indonesia, Iran (Islamic Republic of), Kenya, Lao People's Democratic Republic, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mauritania, Mozambique, Myanmar, Nicaragua, Niger, Nigeria, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Sudan, Syrian Arab Republic, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe: draft resolution

Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.

Please recycle

Deeply convinced that United Nations action in the field of human rights should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[3] and the elimination of double standards,

Affirming the importance of the objectivity, independence, impartiality and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms for all, as a legitimate concern of the world

[3] A/CONF.157/24 (Part I), chap. III.

community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Human Rights Council to continue taking duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of the principles of non-selectivity, impartiality and objectivity, including in the context of the universal periodic review;

11. *Requests* the Secretary-General to invite Member States and intergovernmental and non-governmental organizations to present further practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on the question to the General Assembly at its sixty-sixth session;

12. *Decides* to consider the matter at its sixty-sixth session under the item entitled "Promotion and protection of human rights".

United Nations A/C.3/64/L.30

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session

Third Committee

Agenda item 69 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Algeria, Angola, Antigua and Barbuda, Armenia, Bangladesh, Belarus, Benin, Bolivia (Plurinational State of), Burundi, Cameroon, Cape Verde, Chad, Chile, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominica, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iran (Islamic Republic of), Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Papua New Guinea, Qatar, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Syrian Arab Republic, Timor-Leste, Togo, Uganda, United Arab Emirates, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe: draft resolution

The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[2] and the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] See resolution 55/2.

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Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[4] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[5] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing the complex character of the global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and global climate change, as well as natural disasters and the lack of the appropriate technology necessary in many countries to confront its impact, particularly in developing countries, least developed countries and small island developing States,

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[4] See resolution 2200 A (XXI), annex.

[5] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13-17 November 1996* (WFS 96/REP), part one, appendix.

[6] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10-13 June 2002*, part one, appendix; see also A/57/499, annex.

[7] Food and Agriculture Organization of the United Nations, *Report of the Council of the Food and Agriculture Organization of the United Nations, One Hundred and Twenty-seventh Session, Rome, 22-27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the current global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing that guaranteeing food security and the right to food requires, inter alia, agrobiodiversity, including the protection and preservation of crop genetic diversity,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,[8]

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 do so from hunger related illness, and that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people who are undernourished has grown to about 1.02 billion worldwide, including as a result of the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender

[8] Food and Agriculture Organization of the United Nations, *Report of the International Conference on Agrarian Reform and Rural Development, Porto Alegre, Brazil, 7–10 March 2006* (C 2006/REP), appendix G.

inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

6. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

7. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

8. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

9. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

10. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

11. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises is a key element for food security and the provision of the right to food;

12. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification

in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[9]

13. *Urges* States that have not yet done so to become parties to the Convention on Biological Diversity and to consider becoming States Parties to the International Treaty on Plant Genetic Resources for Food and Agriculture as a matter of priority;

14. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples[10] and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

15. *Notes* the need to further examine various concepts such as, inter alia, "food sovereignty" and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

16. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

17. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

18. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

19. *Calls for* the early conclusion and a successful, development oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

20. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

21. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

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[9] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[10] Resolution 61/295, annex.

22. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[5] and the United Nations Millennium Declaration;[3]

23. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

24. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

25. *Stresses* the importance of international cooperation and development assistance, both as an effective contribution to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock, institutional innovations such as community seed banks, farmer field schools and seed fairs, as well as to the provision of humanitarian food assistance in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

26. *Also stresses* that States parties to the World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights[11] should consider implementing that agreement in a manner supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

27. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

28. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

29. *Takes note with appreciation* of the interim report of the Special Rapporteur;[12]

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[11] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

[12] See A/64/170.

30. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 6/2 of 27 September 2007;[13]

31. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

32. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[14] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

33. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[15] in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food;

34. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,* represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

35. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

36. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

37. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fifth session on the implementation of the present resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate.

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[13] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[14] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[15] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

38. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

39. *Decides* to continue the consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

United Nations A/C.3/64/L.30/Rev.1

General Assembly

Distr.: Limited
11 November 2009

Original: English

Sixty-fourth session

Third Committee

Agenda item 69 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Armenia, Austria, Azerbaijan, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Burundi, Cameroon, Cape Verde, Chad, Chile, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Dominica, Dominican Republic, Djibouti, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Ghana, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Maldives, Malaysia, Mali, Mauritania, Mauritius, Monaco, Montenegro, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia, Sierra Leone, Slovenia, Spain, Solomon Islands, Somalia, Sri Lanka, Sudan, Suriname, Switzerland, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe: revised draft resolution

The right to food

The General Assembly,

Reaffirming all previous resolutions and decisions on the right to food adopted within the framework of the United Nations,

09-60239 (E) 111109

Please recycle

Recalling the Universal Declaration of Human Rights,[1] which provides that everyone has the right to a standard of living adequate for her or his health and well-being, including food, the Universal Declaration on the Eradication of Hunger and Malnutrition[2] and the United Nations Millennium Declaration,[3] in particular Millennium Development Goal 1 on eradicating extreme poverty and hunger by 2015,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[4] in which the fundamental right of every person to be free from hunger is recognized,

Bearing in mind the Rome Declaration on World Food Security and the World Food Summit Plan of Action[5] and the Declaration of the World Food Summit: five years later, adopted in Rome on 13 June 2002,[6]

Reaffirming the concrete recommendations contained in the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004,[7]

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated, and that they must be treated globally, in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further that a peaceful, stable and enabling political, social and economic environment, at both the national and the international levels, is the essential foundation that will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as in the Rome Declaration on World Food Security and the Declaration of the World Food Summit: five years later, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration on World Food Security and the World Food Summit Plan of Action and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food

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[1] Resolution 217 A (III).

[2] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[3] See resolution 55/2.

[4] See resolution 2200 A (XXI), annex.

[5] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit, 13-17 November 1996* (WFS 96/REP), part one, appendix.

[6] Food and Agriculture Organization of the United Nations, *Report of the World Food Summit: five years later, 10-13 June 2002*, part one, appendix; see also A/57/499, annex.

[7] Food and Agriculture Organization of the United Nations, *Report of the Council of the Food and Agriculture Organization of the United Nations, One Hundred and Twenty-seventh Session, Rome, 22-27 November 2004* (CL 127/REP), appendix D; see also E/CN.4/2005/131, annex.

security in a world of increasingly interlinked institutions, societies and economies where coordinated efforts and shared responsibilities are essential,

Recognizing the complex character of the global food crisis, in which the right to adequate food is threatened to be violated on a massive scale, as a combination of several major factors, such as the global financial and economic crisis, environmental degradation, desertification and the impacts of global climate change, as well as natural disasters and the lack in many countries of the appropriate technology, investment and capacity-building necessary to confront its impact, particularly in developing countries, least developed countries and small island developing States,

Resolved to act to ensure that the human rights perspective is taken into account at the national, regional and international levels in measures to address the current global food crisis,

Expressing its deep concern at the number and scale of natural disasters, diseases and pests and their increasing impact in recent years, which have resulted in massive loss of life and livelihood and threatened agricultural production and food security, in particular in developing countries,

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

Recognizing the importance of the protection and preservation of agrobiodiversity, guaranteeing food security and the right to food for all,

Recognizing also the role of the Food and Agriculture Organization of the United Nations as the key United Nations agency for rural and agricultural development and its work in supporting the efforts of Member States to achieve the full realization of the right to food, including through its provision of technical assistance to developing countries in support of the implementation of national priority frameworks,

Taking note of the final Declaration adopted at the International Conference on Agrarian Reform and Rural Development of the Food and Agriculture Organization of the United Nations in Porto Alegre, Brazil, on 10 March 2006,[*]

Acknowledging the High-level Task Force on the Global Food Security Crisis established by the Secretary-General, and supporting the Secretary-General in his continuing efforts in this regard, including continued engagement with Member States and the Special Rapporteur of the Human Rights Council on the right to food,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and therefore requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe, sufficient and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger, so as to be able to fully develop and maintain his or her physical and mental capacities;

[*] Food and Agriculture Organization of the United Nations, *Report of the International Conference on Agrarian Reform and Rural Development, Porto Alegre, Brazil, 7–10 March 2006* (C 2006/REP), appendix G.

3. *Considers it intolerable* that, as estimated by the United Nations Children's Fund, more than one third of the children who die every year before the age of 5 do so from hunger-related illness, and that, as estimated by the Food and Agriculture Organization of the United Nations, the number of people who are undernourished has grown to about 1.02 billion worldwide, including as a result of the global food crisis, while, according to the latter organization, the planet could produce enough food to feed everyone around the world;

4. *Expresses its concern* that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, that in many countries, girls are twice as likely as boys to die from malnutrition and preventable childhood diseases and that it is estimated that almost twice as many women as men suffer from malnutrition;

5. *Encourages* all States to take action to address gender inequality and discrimination against women, in particular where it contributes to the malnutrition of women and girls, including measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families;

6. *Encourages* the Special Rapporteur of the Human Rights Council on the right to food to continue mainstreaming a gender perspective in the fulfilment of his mandate, and encourages the Food and Agriculture Organization of the United Nations and all other United Nations bodies and mechanisms addressing the right to food and food insecurity to integrate a gender perspective into their relevant policies, programmes and activities;

7. *Reaffirms* the need to ensure that programmes delivering safe and nutritious food are inclusive of and accessible to persons with disabilities;

8. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and, as soon as possible, to enjoy fully the right to food, and to create and adopt national plans to combat hunger;

9. *Recognizes* the advances reached through South-South cooperation in developing countries and regions in connection with food security and the development of agricultural production for the full realization of the right to food;

10. *Stresses* that improving access to productive resources and public investment in rural development are essential for eradicating hunger and poverty, in particular in developing countries, including through the promotion of investments in appropriate small-scale irrigation and water management technologies in order to reduce vulnerability to droughts;

11. *Recognizes* that 80 per cent of hungry people live in rural areas and 50 per cent are small-scale farm-holders, and that these people are especially vulnerable to food insecurity, given the increasing cost of inputs and the fall in farm incomes; that access to land, water, seeds and other natural resources is an increasing challenge for poor producers; that sustainable and gender-sensitive agricultural policies are important tools for promoting land and agrarian reform, rural credit and insurance, technical assistance and other associated measures to

achieve food security and rural development; and that support by States for small farmers, fishing communities and local enterprises is a key element for food security and the provision of the right to food;

12. *Stresses* the importance of fighting hunger in rural areas, including through national efforts supported by international partnerships to stop desertification and land degradation and through investments and public policies that are specifically appropriate to the risk of drylands, and in this regard calls for the full implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;[9]

13. *Urges* States that have not yet done so to become parties to the Convention on Biological Diversity and to consider becoming States Parties to the International Treaty on Plant Genetic Resources for Food and Agriculture as a matter of priority;

14. *Recalls* the United Nations Declaration on the Rights of Indigenous Peoples[10] and acknowledges that many indigenous organizations and representatives of indigenous peoples have expressed in different forums their deep concerns over the obstacles and challenges they face for the full enjoyment of the right to food, and calls upon States to take special actions to combat the root causes of the disproportionately high level of hunger and malnutrition among indigenous peoples and the continuous discrimination against them;

15. *Notes* the need to further examine various concepts such as, inter alia, "food sovereignty" and their relation with food security and the right to food, bearing in mind the need to avoid any negative impact on the enjoyment of the right to food for all people at all times;

16. *Requests* all States and private actors, as well as international organizations within their respective mandates, to take fully into account the need to promote the effective realization of the right to food for all, including in the ongoing negotiations in different fields;

17. *Recognizes* the need to strengthen national commitment as well as international assistance, upon the request of and in cooperation with the affected countries, towards the full realization and protection of the right to food, and in particular to develop national protection mechanisms for people forced to leave their homes and land because of hunger or humanitarian emergencies affecting the enjoyment of the right to food;

18. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

19. *Calls for* the early conclusion and a successful, development-oriented outcome of the Doha Round of trade negotiations of the World Trade Organization as a contribution to creating international conditions that permit the full realization of the right to food;

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[9] United Nations, *Treaty Series*, vol. 1954, No. 33480.

[10] Resolution 61/295, annex.

20. *Stresses* that all States should make all efforts to ensure that their international policies of a political and economic nature, including international trade agreements, do not have a negative impact on the right to food in other countries;

21. *Recalls* the importance of the New York Declaration on Action against Hunger and Poverty, and recommends the continuation of efforts aimed at identifying additional sources of financing for the fight against hunger and poverty;

22. *Recognizes* that the promises made at the World Food Summit in 1996 to halve the number of persons who are undernourished are not being fulfilled, while recognizing the efforts of Member States in this regard, and invites once again all international financial and development institutions, as well as the relevant United Nations agencies and funds, to give priority to and provide the necessary funding to realize the aim of halving by 2015 the proportion of people who suffer from hunger, as well as the right to food as set out in the Rome Declaration on World Food Security[3] and the United Nations Millennium Declaration;[2]

23. *Reaffirms* that integrating food and nutritional support, with the goal that all people at all times will have access to sufficient, safe and nutritious food to meet their dietary needs and food preferences for an active and healthy life, is part of a comprehensive effort to improve public health, including the response to the spread of HIV/AIDS, tuberculosis, malaria and other communicable diseases;

24. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

25. *Stresses* the importance of international cooperation and development assistance, both as an effective contribution to the expansion and improvement of agriculture and its environmental sustainability, food production, breeding projects on diversity of crops and livestock, institutional innovations such as community seed banks, farmer field schools and seed fairs, as well as to the provision of humanitarian food assistance in activities related to emergency situations, for the realization of the right to food and the achievement of sustainable food security, while recognizing that each country has the primary responsibility for ensuring the implementation of national programmes and strategies in this regard;

26. *Also stresses* that States parties to the World Trade Organization Agreement on Trade Related Aspects of Intellectual Property Rights[11] should consider implementing that agreement in a manner supportive of food security, while mindful of the obligation of Member States to promote and protect the right to food;

27. *Calls upon* Member States, the United Nations system and other relevant stakeholders to support national efforts aimed at responding rapidly to the food crises currently occurring across Africa, and expresses its deep concern that funding shortfalls are forcing the World Food Programme to cut operations across different regions, including Southern Africa;

28. *Invites* all relevant international organizations, including the World Bank and the International Monetary Fund, to continue to promote policies and projects

[11] See *Legal Instruments Embodying the Results of the Uruguay Round of Multilateral Trade Negotiations, done at Marrakesh on 15 April 1994* (GATT secretariat publication, Sales No. GATT/1994-7).

that have a positive impact on the right to food, to ensure that partners respect the right to food in the implementation of common projects, to support strategies of Member States aimed at the fulfilment of the right to food and to avoid any actions that could have a negative impact on the realization of the right to food;

29. *Takes note with appreciation* of the interim report of the Special Rapporteur;[12]

30. *Supports* the realization of the mandate of the Special Rapporteur, as extended by the Human Rights Council in its resolution 6/2 of 27 September 2007;[13]

31. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

32. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[14] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights, and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and the international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

33. *Recalls* General Comment No. 15 (2002) of the Committee on Economic, Social and Cultural Rights on the right to water (articles 11 and 12 of the Covenant),[15] in which the Committee noted, inter alia, the importance of ensuring sustainable water resources for human consumption and agriculture in realization of the right to adequate food;

34. *Reaffirms* that the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Council of the Food and Agriculture Organization of the United Nations in November 2004, represent a practical tool to promote the realization of the right to food for all, contribute to the achievement of food security and thus provide an additional instrument in the attainment of internationally agreed development goals, including those contained in the Millennium Declaration;

35. *Welcomes* the continued cooperation of the High Commissioner, the Committee and the Special Rapporteur, and encourages them to continue their cooperation in this regard;

36. *Calls upon* all Governments to cooperate with and assist the Special Rapporteur in his task, to supply all necessary information requested by him and to give serious consideration to responding favourably to the requests of the Special

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[12] See A/64/170.

[13] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A.

[14] See *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V.

[15] Ibid., *2003, Supplement No. 2* (E/2003/22), annex IV.

Rapporteur to visit their countries to enable him to fulfil his mandate more effectively;

37. *Requests* the Special Rapporteur to submit an interim report to the General Assembly at its sixty-fifth session on the implementation of the present resolution and to continue his work, including by examining the emerging issues with regard to the realization of the right to food within his existing mandate;

38. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies, civil society actors and non-governmental organizations, as well as the private sector, to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia, through the submission of comments and suggestions on ways and means of realizing the right to food;

39. *Decides* to continue the consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of human rights".

United Nations A/C.3/64/L.31

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Afghanistan, Algeria, Angola, Argentina, Bahrain, Bangladesh, Belarus, Benin, Bolivia (Plurinational State of), Botswana, Cameroon, China, Cote d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Ecuador, Egypt, Eritrea, Ethiopia, Gambia, Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Morocco, Mozambique, Myanmar, Nicaragua, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Saint Lucia, Saudi Arabia, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe: draft resolution

Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing, in particular, the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[1] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2]

Recalling also the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,[3]

[1] Resolution 217 A (III).
[2] A/CONF.157/24 (Part I), chap. III.

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Please recycle

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[4] and the outcome documents of the twenty-third[5] and twenty-fourth[6] special sessions of the General Assembly, held in New York from 5 to 10 June 2000 and in Geneva from 26 June to 1 July 2000, respectively,

Recalling also its resolution 63/176 of 18 December 2008,

Recalling further Commission on Human Rights resolution 2005/17 of 14 April 2005 on globalization and its impact on the full enjoyment of all human rights,[7]

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, inter alia, in the field of human rights,

Realizing also that globalization is not merely an economic process, but that it also has social, political, environmental, cultural and legal dimensions, which have an impact on the full enjoyment of all human rights,

Emphasizing the need to fully implement the global partnership for development and enhance the momentum generated by the 2005 World Summit in order to operationalize and implement the commitments made in the outcomes of the major United Nations conferences and summits, including the 2005 World Summit, in the economic, social and related fields, and reaffirming in particular the commitment contained in paragraphs 19 and 47 of the 2005 World Summit Outcome[8] to promote fair globalization and the development of the productive sectors in developing countries to enable them to participate more effectively in and benefit from the process of globalization,

Realizing the need to undertake a thorough, independent and comprehensive assessment of the social, environmental and cultural impact of globalization on societies,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, convinced that, in their rich variety and diversity and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind, and aware of the risk that globalization poses more of a threat to cultural diversity if the developing world remains poor and marginalized,

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[4] See resolution 2200 A (XXI), annex.

[5] See resolution 55/2.

[6] Resolution S-23/2, annex, and resolution S-23/3, annex.

[7] Resolution S-24/2, annex.

[8] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[9] See resolution 60/1.

Recognizing also that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Emphasizing the global character of the migratory phenomenon, the importance of international, regional and bilateral cooperation and the need to protect the human rights of migrants, particularly at a time in which migration flows have increased in the globalized economy,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights, particularly in the light of the current global financial and economic crisis, which has an adverse impact on the realization of the internationally agreed development goals, particularly the health-related Millennium Development Goals,

Expressing deep concern at the negative impact of the rising global food and energy challenges and climate change on social and economic development and on the full enjoyment of all human rights for all,

Recognizing that globalization should be guided by the fundamental principles that underpin the corpus of human rights, such as equity, participation, accountability, non-discrimination at both the national and the international levels, respect for diversity, tolerance and international cooperation and solidarity,

Emphasizing that the existence of widespread extreme poverty inhibits the full realization and effective enjoyment of human rights, and that its immediate alleviation and eventual elimination must remain a high priority for the international community,

Strongly reiterating the determination to ensure the timely and full realization of the development goals and objectives agreed at the major United Nations conferences and summits, including those agreed at the Millennium Summit that are described as the Millennium Development Goals, which have helped galvanize efforts towards poverty eradication,

Deeply concerned at the inadequacy of measures to narrow the widening gap between the developed and the developing countries, and within countries, which has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Underlining that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Emphasizes* that development should be at the centre of the international economic agenda and that coherence between national development strategies and international obligations and commitments is imperative for an enabling environment for development and an inclusive and equitable globalization;

3. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

4. *Also reaffirms* the commitment to create an environment at both the national and the global levels that is conducive to development and to the elimination of poverty through, inter alia, promoting good governance within each country and at the international level, avoiding protectionism, enhancing transparency in the financial, monetary and trading systems, and committing to an open, equitable, rule based, predictable and non-discriminatory multilateral trading and financial system;

5. *Recognizes* that, while globalization offers great opportunities, the fact that its benefits are very unevenly shared and its costs unevenly distributed represents an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

6. *Welcomes* the report of the United Nations High Commissioner for Human Rights on globalization and its impact on the full enjoyment of human rights,[9] which focuses on the liberalization of agricultural trade and its impact on the realization of the right to development, including the right to food, and takes note of the conclusions and recommendations contained therein;

7. *Reaffirms* the international commitment to eliminating hunger and to securing food for all, today and tomorrow, and reiterates that the relevant United Nations organizations should be assured the resources needed to expand and enhance their food assistance, and support safety net programmes designed to address hunger and malnutrition, when appropriate, through the use of local or regional purchase;

8. *Calls upon* Member States, relevant agencies of the United Nations system, intergovernmental organizations and civil society to promote equitable and environmentally sustainable economic growth for managing globalization so that poverty is systematically reduced and the international development targets are achieved;

9. *Recognizes* that only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

10. *Underlines* the urgent need to establish an equitable, transparent and democratic international system to strengthen and broaden the participation of developing countries in international economic decision-making and norm-setting;

11. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

12. *Also affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that promotes and protects human rights while ensuring respect for the cultural diversity of all;

13. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

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[9] E/CN.4/2002/54.

United Nations A/C.3/64/L.22

General Assembly

Distr.: Limited
23 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Andorra, Argentina, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Jordan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Morocco, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America: draft resolution

National institutions for the promotion and protection of human rights

The General Assembly,

Recalling its previous resolutions, the most recent of which is resolution 63/172, and those of the Commission on Human Rights concerning national institutions and their role for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Recalling the principles relating to the status of national institutions for the promotion and protection of human rights ("the Paris Principles"),[1]

Reaffirming the important role that such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms, in strengthening participation and the rule of law, and in developing and enhancing public awareness of those rights and freedoms,

Recognizing the important role of the United Nations, and in particular the Office of the United Nations High Commissioner for Human Rights, in assisting the

[1] Resolution 48/134, annex.

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development of independent and effective national human rights institutions, guided by the Paris Principles, and recognizing also in this regard the potential for strengthened and complementary cooperation among the United Nations, the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights and those national institutions in the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in preventing and remedying human rights violations, in disseminating information on human rights and in education in human rights,

Reaffirming that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing, and that all human rights must be treated in a fair and equal manner, on the same footing and with the same emphasis,

Bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds, and that all States, regardless of their political, economic and cultural systems, have the duty to promote and protect all human rights and fundamental freedoms,

Recalling the programme of action adopted by national institutions, at their meeting held in Vienna in June 1993 during the World Conference on Human Rights,[3] for the promotion and protection of human rights, in which it was recommended that United Nations activities and programmes should be reinforced to meet the requests for assistance from States wishing to establish or strengthen their national institutions for the promotion and protection of human rights,

Taking note with appreciation of the reports of the Secretary-General to the Human Rights Council on national institutions for the promotion and protection of human rights[4] and on the accreditation process of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights,[5]

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions, and noting with appreciation the continuing work of the European Group of National Human Rights Institution, the Network of National Institutions for the Promotion and Protection of Human Rights in the Americas, the Asia Pacific Forum of National Human Rights Institutions and the Network of African National Human Rights Institutions, encourages them to participate in the workshop on regional arrangements to be organized by the Office of the High Commissioner for Human Rights in 2010,

1. *Takes note with appreciation* of the report of the Secretary-General[6] and the conclusions contained therein;

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[2] A/CONF.157/24 (Part I), chap. III.
[3] See A/CONF.157/NI/6.
[4] A/HRC/10/54.
[5] A/HRC/10/55.
[6] A/64/320.

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in accordance with the Paris Principles;

3. *Recognizes* the role of independent national institutions for the promotion and protection of human rights in working together with Governments to ensure full respect for human rights at the national level, including by contributing to follow-up actions, as appropriate, to the recommendations resulting from the international human rights mechanisms;

4. *Welcomes* the increasingly important role of national institutions for the promotion and protection of human rights in supporting cooperation between their Governments and the United Nations in the promotion and protection of human rights;

5. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[3] it is the right of each State to choose the framework for national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

6. *Encourages* Member States to establish effective, independent and pluralistic national institutions or, where they already exist, to strengthen them for the promotion and protection of all human rights and fundamental freedoms for all, as outlined in the Vienna Declaration and Programme of Action;

7. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

8. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

9. *Recognizes* the role played by national institutions for the promotion and protection of human rights in the Human Rights Council, including its universal periodic review mechanism, in both preparation and follow-up, and the special procedures, as well as in the human rights treaty bodies, in accordance with Human Rights Council resolutions 5/1 and 5/2 of 18 June 2007[4] and Commission on Human Rights resolution 2005/74 of 20 April 2005;[5]

10. *Stresses* the importance of financial and administrative independence and the stability of national human rights institutions for the promotion and protection of the human rights, and notes with satisfaction the efforts of those States that have provided their national institutions with more autonomy and independence, including by giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

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[3] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. IV, sect. A.

[4] See *Official Records of the Economic and Social Council, 2005, Supplement No. 1* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

11. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions;

12. *Underlines* the importance of the autonomy and independence of the Ombudsman institutions, encourages increased cooperation between national human rights institutions and regional and international associations of Ombudsmen, also encourages the Ombudsman institutions to actively draw on the standards enumerated in international instruments and the Paris Principles to strengthen their independence and increase their capacity to act as national human rights protection mechanism, and, in this regard, reaffirms General Assembly resolution 63/169 on the role of Ombudsman institutions;

13. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, encourages the High Commissioner, in view of the expanded activities relating to national institutions, to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional voluntary funds to that end;

14. *Requests* the Secretary-General to continue to provide the necessary assistance for holding international and regional meetings of national institutions, including meetings of the International Coordinating Committee of National Institutions, in cooperation with the Office of the High Commissioner for Human Rights;

15. *Encourages* national institutions, including Ombudsman institutions, to seek accreditation status through the International Coordinating Committee of National Institutions;

16. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions;

17. *Encourages* all United Nations human rights mechanisms as well as agencies, funds and programmes to work within their respective mandates with Member States and national institutions in the promotion and protection of human rights with respect to, inter alia, projects in the area of good governance and rule of law, and in this regard welcomes the efforts made by the High Commissioner to develop partnerships in support of national institutions;

18. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

United Nations

A/C.3/64/L.[illegible]

General Assembly

Distr.: Limited
29 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Belize, Guatemala, Jordan, Qatar, Saint Vincent and the Grenadines and Tunisia*: draft resolution

Follow-up to the International Year of Human Rights Learning

The General Assembly,

Recalling that the purposes and principles contained in the Charter of the United Nations include promoting and encouraging respect for human rights and fundamental freedoms for all,

Recalling also its resolution 60/251 of 15 March 2006, in which it decided that the Human Rights Council should, inter alia, promote human rights education and learning as well as advisory services, technical assistance and capacity-building,

Recalling further the 2005 World Summit Outcome, in which Heads of State and Government expressed their support for the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encouraged all States to develop initiatives in that regard,[1]

Recalling its resolutions 62/171 of 18 December 2007 and 63/173 of 18 December 2008 on the International Year of Human Rights Learning,

Welcoming the recently adopted Human Rights Council resolution 12/4, of 1 October 2009, in which the Council decided on the focus of the second phase of the World Programme, and stressing the complementarity between human rights learning and human rights education,

Acknowledging that civil society, academia, the private sector, the media and, where appropriate, parliamentarians can play an important role at the national, regional and international levels in the development and facilitation of ways and means to promote and implement learning about human rights as a way of life at the community level,

* On behalf of the States Members of the United Nations that are members of the African Group.

[1] See resolution 60/1, para. 131.

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Convinced that integrating human rights learning into all relevant development policies and programmes contributes to enabling people to participate as equals in the decisions that determine their lives,

Having considered the report of the Secretary-General,[2]

1. *Reaffirms* its conviction that every woman, man, youth and child can realize his or her full human potential through learning about the comprehensive framework of human rights and fundamental freedoms, including the ability to act on that knowledge in order to ensure the effective realization of human rights and fundamental freedoms for all;

2. *Urges* Member States to expand on efforts made during the International Year of Human Rights Learning, to consider devoting the financial and human resources necessary to design and implement international, regional, national and local long-term human rights learning programmes of action aimed at broad-based and sustained human rights learning at all levels, in coordination with civil society, the media, the private sector, academia, parliamentarians and regional organizations, including the appropriate specialized agencies, funds and programmes of the United Nations system, and where possible, to designate human rights cities;

3. *Calls upon* the United Nations High Commissioner for Human Rights and the Human Rights Council to support, cooperate and collaborate closely with civil society, the private sector, academia, regional organizations, the media and other relevant stakeholders, as well as with organizations, programmes and funds of the United Nations system, in efforts to develop, in particular, the design of strategies and international, regional, national and local programmes of action aimed at broad-based and sustained human rights learning at all levels;

4. *Urges* the Human Rights Council to integrate human rights learning into the preparation of the draft United Nations declaration on human rights education and training, bearing in mind the complementarity of this initiative with the World Programme for Human Rights Education and human rights learning;

5. *Encourages* civil society organizations worldwide, in particular those working at the community level, to include and integrate human rights learning into dialogue and consciousness-raising programmes with and by groups working on issues related to labour, development, poverty, access to water and sanitation, education, housing, food, health care, women, children, persons with disabilities, elder persons and indigenous peoples, as well as on other political, civil, economic, social and cultural issues of concern;

6. *Encourages* relevant actors in civil society, including academia, the media and community leaders, to design learning programmes on human rights as a way of life towards the realization of economic and social justice for all;

7. *Invites* relevant treaty bodies to include human rights learning in their interaction with States parties;

8. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the implementation of the present resolution.

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[2] A/64/293.

United Nations A/C.3/64/L.33/Rev.1

General Assembly

Distr.: Limited
11 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (b)
Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Albania, Armenia, Austria, Azerbaijan, Belarus, Belize, Chile, Colombia, Croatia, Cyprus, Ecuador, Guatemala, Haiti, Honduras, Italy, Jordan, Nicaragua, Norway, Panama, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Vincent and the Grenadines, Serbia, Slovenia and Tunisia:* revised draft resolution

Follow-up to the International Year of Human Rights Learning

The General Assembly,

Recalling that the purposes and principles contained in the Charter of the United Nations include promoting and encouraging respect for human rights and fundamental freedoms for all,

Recalling also its resolution 60/251 of 15 March 2006, in which it decided that the Human Rights Council should, inter alia, promote human rights education and learning as well as advisory services, technical assistance and capacity-building,

Recalling further the 2005 World Summit Outcome, in which Heads of State and Government expressed their support for the promotion of human rights education and learning at all levels, including through the implementation of the World Programme for Human Rights Education, as appropriate, and encouraged all States to develop initiatives in that regard,[1]

Recalling its resolutions 62/171 of 18 December 2007 and 63/173 of 18 December 2008 on the International Year of Human Rights Learning,

Welcoming the recently adopted Human Rights Council resolution 12/4 of 1 October 2009, in which the Council decided on the focus of the second phase of the World Programme for Human Rights Education, and stressing the complementarity between human rights learning and human rights education,

* On behalf of the States Members of the United Nations that are members of the African Group.

[1] See resolution 60/1, para. 131.

Please recycle

Acknowledging that civil society, academia, the private sector, the media and, where appropriate, parliamentarians can play an important role at the national, regional and international levels in the development and facilitation of ways and means to promote and implement learning about human rights as a way of life at the community level,

Convinced that integrating human rights learning into all relevant development policies and programmes contributes to enabling people to participate as equals in the decisions that determine their lives,

Having considered the report of the Secretary-General,[2]

1. *Reaffirms* its conviction that every woman, man, youth and child can realize his or her full human potential through learning about the comprehensive framework of human rights and fundamental freedoms, including the ability to act on that knowledge in order to ensure the effective realization of human rights and fundamental freedoms for all;

2. *Encourages* Member States to expand on efforts made during the International Year of Human Rights Learning and to consider devoting the financial and human resources necessary to design and implement international, regional, national and local long-term human rights learning programmes of action aimed at broad-based and sustained human rights learning at all levels, in coordination with civil society, the media, the private sector, academia, parliamentarians and regional organizations, including the appropriate specialized agencies, funds and programmes of the United Nations system, and where possible, to designate human rights cities;

3. *Calls upon* the United Nations High Commissioner for Human Rights and the Human Rights Council to support, cooperate and collaborate closely with civil society, the private sector, academia, regional organizations, the media and other relevant stakeholders, as well as with organizations, programmes and funds of the United Nations system, in efforts to develop, in particular, the design of strategies and international, regional, national and local programmes of action aimed at broad-based and sustained human rights learning at all levels;

4. *Recommends* that the Human Rights Council integrate human rights learning into the preparation of the draft United Nations declaration on human rights education and training, bearing in mind the complementarity of this initiative with the World Programme for Human Rights Education and human rights learning;

5. *Encourages* civil society organizations worldwide, in particular those working at the community level, to integrate human rights learning into dialogue and consciousness-raising programmes with groups working on education, development, poverty eradication, participation, children, indigenous peoples, gender equality, persons with disabilities, elder persons and migrants, as well as on other relevant political, civil, economic, social and cultural issues of concern;

6. *Encourages* relevant actors in civil society, including sociologists, anthropologists, academia, the media and community leaders, to develop the concept of human rights learning as a way to promote the full realization of all human rights and fundamental freedoms for all;

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[2] A/64/293.